

HOUSE COMMITTEE ON WATER AND ENVIRONMENT

July 09, 1999 Hearing Room A

8:30 AM Tapes 227

MEMBERS PRESENT: Rep. Jim Welsh, Chair

Rep. Jackie Taylor, Vice-Chair

Rep. Jason Atkinson

Rep. Deborah Kafoury

Rep. Jeff Kruse

Rep. Jeff Merkley

Rep. Susan Morgan

STAFF PRESENT: Cara Filsinger, Administrator

Diane M. Lewis, Administrative Support

MEASURE/ISSUES HEARD: SB 1040 Work Session

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

TAPE/#	Speaker	Comments
TAPE 227, A		
005	Chair Welsh	Calls the meeting to order at 8:55 AM and opens a work session on SB 1040.
<u>SB 1040 WORK SESSION</u>		

008	Chair Welsh	Reports that the conceptual amendments created by the workgroup should be finished by Legislative Counsel (LC) on Monday, July 12, 1999. Explains that he would like to conceptually amend the ñA 9 amendments (EXHIBIT A) and take another look at the ñA10 amendments (EXHIBIT B). Believes that conflicts between SB 1040 and federal disability laws are resolved with the ñA9 amendments as conceptually amended in EXHIBIT A. States that line 5 of the ñA10 amendments, regarding "chronically mentally ill" is to be deleted.
046	Rep. Kafoury	Inquires about the ñ4 amendments referred to by Chair Welsh.
048	Chair Welsh	Explains that the ñ4 amendments refer to the Department of Corrections institutions as defined in ORS 442.015
070	Rep. Kruse	MOTION: Moves to AMEND SB 1040-A9 on page 1, in line 7, after "(a)" insert a comma, delete "or", and after "centers" insert ", or Department of Corrections institutions as defined in ORS 422.015."
073	Rep. Kafoury	Asks for clarification of the conceptual amendment.
075	Chair Welsh	States that this resolves a conflict that exists between the current Department of Corrections process and SB 1040A.
080	Cara Filsinger	Committee Administrator, reads SB 1040-A9, lines 6 and 7, as conceptually amended.
090	Rep. Atkinson	Asks if this conceptual amendment will be available in LC draft form for Monday's morning meeting.
092	Chair Welsh	Responds affirmatively.
096	Rep. Taylor	Asks which facilities SB 1040A as amended will be addressing.
098	Chair Welsh	Explains that the bill will deal mostly with half-way houses, some state funded residential programs and other facilities identified by the workgroup. Believes that the amendments under consideration resolve conflicts with federal law.
113	Rep. Morgan	Asks how the workgroup's conceptual amendments fit into SB 1040.
115	Chair Welsh	Responds that the proposed amendments drafted by the workgroup were a "gut and stuff" proposal to the bill. Explains that the workgroup amendments will generate continued discussions in the interim. States that he believes they are now a priority for the Human Resources interim committee. States that they will not be considered for adoption into SB 1040A.

132	Rep. Morgan	Comments that the workgroup recommended that local cities establish a siting process in their community. Asks how the workgroup's conceptual amendments mesh with the A9 amendments.
140	Chair Welsh	Explains that he will be working with LC this weekend to finalize amendments that address Rep. Morgan's questions and gain the support of the bill's sponsor.
		VOTE: 6-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Rep. Merkley
152	Chair Welsh	Hearing no objection, declares the motion CARRIED.
165	Rep. Kruse	MOTION: Moves to AMEND SB 1040-A9 on page 2, after line 20, insert "On <u>page 3</u> of the printed bill, delete lines 39 and 40."
		VOTE: 6-0 EXCUSED: 1 - Merkley
172	Chair Welsh	Hearing no objection, declares the motion CARRIED.
173	Rep. Kruse	MOTION: Moves to ADOPT SB 1040-A9 amendments dated 6/23/99, as conceptually amended.
176	Rep. Kafoury	Comments that she is not comfortable moving the A9 amendments until she sees the finished product from LC.
181	Rep. Kruse	Explains that he has moved the A9 amendments as conceptually amended with the full understanding that they are not a finished product. States that moving the amendments at this time "bundles what the committee has so far."
		VOTE: 5-1 AYE: 5 - Atkinson, Kruse, Morgan, Taylor, Welsh NAY: 1 - Kafoury EXCUSED: 1 - Merkley

199	Chair Welsh	The motion CARRIES.
204	Rep. Kruse	Appreciates leadership for making this issue a priority during the interim.
220	Rep. Morgan	Comments that she is glad that there is continuing commitment to work on this issue. States that this bill applies to the whole state, and not just to the metro areas. Reminds the committee that interim discussions must involve smaller, rural communities.
231	Chair Welsh	Concurs. Responds that leadership, the Governor's Office and state agencies are taking this issue seriously. Explains that he wants to see some equity in residential programs. Does not want to see the majority of these facilities sited in one or two areas of Oregon. Maintains that this issue must be carried over into the interim.
257	Rep. Kafoury	Concurs with Rep. Morgan. Supports the workgroup's conceptual amendments that spoke to outlining siting processes at the local level.
270	Rep. Kruse	Comments that the only way to come up with a viable product, in a timely manner, is to take it into the interim and draft language for the 2001 legislative session.
285	Rep. Taylor	Explains that she didn't object to the amendments because they made a bad bill just a little better. States that she will never support the bill. Points out that there has been no testimony that the bill is necessary. Maintains that the real problems for communities are individuals who are not supervised and not parented.
318	Chair Welsh	Closes the work session and adjourns the meeting at 9:15 AM.

Reviewed By, Submitted By,

Cara Filsinger, Diane M. Lewis

Administrator Administrative Support

EXHIBIT SUMMARY

A ñ SB 1040-A9 conceptual amendments, Chair Welsh, 2 pp.

B - SB 1040-A10 amendments, Staff, 1p.